

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX

WALEED HAMED, as the Executor of the
Estate of MOHAMMAD HAMED,

Plaintiff/Counterclaim Defendant,

vs.

FATHI YUSUF and **UNITED CORPORATION**

Defendants and Counterclaimants.

vs.

**WALEED HAMED, WAHEED HAMED,
MUFEEED HAMED, HISHAM HAMED, and
PLESSEN ENTERPRISES, INC.,**

Counterclaim Defendants,

Case No.: SX-2012-CV-370

**ACTION FOR DAMAGES,
INJUNCTIVE RELIEF AND
DECLARATORY RELIEF**

JURY TRIAL DEMANDED

Consolidated with

Case No.: SX-2014-CV-287

**ACTION FOR DECLARATORY
JUDGMENT**

JURY TRIAL DEMANDED

Consolidated with

Case No.: SX-2014-CV-278

**ACTION FOR DEBT AND
CONVERSION**

JURY TRIAL DEMANDED

WALEED HAMED, as the Executor of the
Estate of MOHAMMAD HAMED,

Plaintiff,

vs.

UNITED CORPORATION,

Defendant.

WALEED HAMED, as the Executor of the
Estate of MOHAMMAD HAMED,

Plaintiff,

vs.

FATHI YUSUF,

Defendant.

**NOTICE OF RESCHEDULING OF PARTIAL VIDEOTAPED DEPOSITIONS --
PURSUANT TO 1/29/18 CLAIMS DISCOVERY PLAN AND THE COURT'S ORDERS
OF AUGUST 6 AND 12, 2018**

PLEASE TAKE NOTICE that pursuant to *Rules V.I. R. Civ. P. 30(a), 30(b)(6)* and 45, the Plaintiff reschedules and will take the initial portion of the videotaped deposition of the following persons and entities as mutually agreed by the parties, at the end of each, that deposition will be adjourned until a future date as to the remainder of the claims topics:

1. The previously scheduled deposition of **FATHI YUSUF**, set for March 2018, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709, is now set for 1:00 pm on Monday, January 21, 2019, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709. The topics will be the claims of the parties as made before the Special Master as listed on **Exhibit 1**.

2. The previously scheduled deposition of **NEJEH YUSUF**, set for March, 2018, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709, is now set for 10:00 AM on Tuesday, January 21, 2019, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709. The topics will be the claims of the parties as made before the Special Master as listed on **Exhibit 1**.

2. The previously scheduled deposition of **MIKE YUSUF**, set for March, 2018, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709, is now set for 11:00 AM on Tuesday, January 21, 2019, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709. The topics will be the claims of the parties as made before the Special Master as listed on **Exhibit 1**.

3. The previously scheduled deposition of **United Corporation** set for August 2018, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709, is now set for 1:00 pm on Tuesday, January 22, 2019, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709. The topics will be the claims of the parties as made before the Special Master as listed on **Exhibit 1**.

4. The previously scheduled deposition of **The Yusuf/Hamed Partnership** set for March 2018, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709, is now set for 3:00 pm on Tuesday, January 22, 2018, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709. The topics will be the claims of the parties as made before the Special Master as listed on **Exhibit 1**.

Plaintiffs will work with Defendants to re-set these dates upon written request reasonably made and timely given.

The entity deponents will produce as many representatives with knowledge as necessary to give the most informed response to each topic -- **representatives who have apprised themselves of the full knowledge of the entity regarding the topic**. As to each topic, each such representative will be asked the *voir dire* question: "Have you been informed by the entity prior to this testimony regarding Claim ___, that you were to **have been apprised of, and be ready to testify as to the full knowledge of the entity regarding this topic?**"

Pursuant to V.I. R. Civ. P. 30(b)(2) and 30(b)(6), as well as V.I. R. Civ. P. 34, the deponents shall bring the following documents in their possession or under their control to the depositions:

1. As to the Partnership and United, all documents necessary to allow full and complete testimony on the topics provided in the attached schedules.

2. As to the individuals, all documents necessary to testify as to the listed topics, which are merely presented to allow each witness to prepare more fully:

Dated: December 26, 2018



Carl J. Hartmann III, Esq.

Co-Counsel for Plaintiff

5000 Estate Coakley Bay, L6

Christiansted, VI 00820

Email: carl@carlhartmann.com

Tele: (340) 719-8941

Joel H. Holt, Esq.

Counsel for Plaintiff

Law Offices of Joel H. Holt

2132 Company Street,

Christiansted, VI 00820

Email: holtvi@aol.com

Tele: (340) 773-8709

Fax: (340) 773-867

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of December, 2018, I served a copy of the foregoing by email (via CaseAnywhere), as agreed by the parties, on:

Hon. Edgar Ross
Special Master
% edgarrossjudge@hotmail.com

Gregory H. Hodges
Stefan Herpel
Charlotte Perrell
Law House, 10000 Frederiksberg Gade
P.O. Box 756
St. Thomas, VI 00802
ghodges@dtflaw.com

Mark W. Eckard
Hamm, Eckard, LLP
5030 Anchor Way
Christiansted, VI 00820
mark@markeckard.com

Jeffrey B. C. Moorhead
CRT Brow Building
1132 King Street, Suite 3
Christiansted, VI 00820
jeffreymlaw@yahoo.com



Carl J. Hamed

CERTIFICATE OF COMPLIANCE WITH RULE 6-1(e)

This document complies with the page or word limitation set forth in Rule 6-1(e).



Carl J. Hamed

EXHIBIT 1 – AGREED TOPICS

Y-02	Unpaid rent for Plaza Extra-East Bays 5 & 8	\$793,984.34
Y-04	9% interest on rent claims for East Bays 5 & 8	\$241,005.18
Y-12	Foreign Accts and Jordanian Properties	\$434,921.37
Y-14	Half of the value of the six containers	\$210,000.00
H-016	Nejeh Yusuf's use of Partnership resources for his Private Businesses on STT	unknown
H-001	Reimbursement for sale of the Dorthea condo	\$802,966.00
H-002	\$2.7 million unilateral withdrawal from the Partnership account	\$2,784,706.25
H-014	Unsubstantiated checks to Nejeh Yusuf	\$14,756.00
H-015	Nejeh Yusuf's cash withdrawals from safe	\$53,384.67
H-032	No credit for expired (spoiled) inventory discovered at Plaza Extra West	\$54,592.08
H-034	Rents collected from Triumphant church	\$3,900.00
H-152	United's corporate franchise taxes and annual franchise fees	\$2,300.52
H-153	Partnership funds used to pay United Shopping Center's property insurance	\$59,360.84